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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/737,430	12/15/2000	Ching-Jye Chang	AUS9-2000-0698-US1	1939

7590 11/16/2004  
Joseph R. Burwell  
Law Office of Joseph R. Burwell  
P. O. Box 28022  
Austin, TX 78755-8022

EXAMINER

VU, THONG H

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/737,430

Applicant(s)

CHANG ET AL.

Examiner

Thong H Vu

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 16 September 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,2,5-10,13-18 and 21-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-10,13-18 and 21-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

Art Unit: 2142

1. Claims 3,4,11,12,19,20 are canceled. Amended claims 1,9,17 are 1-24 are pending.
2. Applicant's arguments with respect to claims 1,9,17 have been considered but are moot in view of the new ground(s) of rejection. The claims 1,9,17 have been amended. Therefore the Final action is appropriate.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 5-10,13-18 and 21-24 are rejected under 35 U.S.C. § 103 as being unpatentable over Wiget et al [Wiget 6,640,251 B1] in view of Cusak et al [Cusak 6,058,106].

4. As per claim 9, Wiget discloses an apparatus for managing devices within a distributed data processing system, the apparatus comprising:

receiving means for receiving a request (i.e.: ARP request) for an action target device within the distributed data processing system, wherein the request for an action at the target device uniquely identifies the target device using a system address for the target device (i.e.: MAC address), wherein completion of the action depends upon a network address (i.e.: IP address) of the target device within the distributed data processing system [Wiget, MAC address, ARP request, IP address, col 4 lines 16-45];

Art Unit: 2142

requiring means for requiring the user to enter a virtual private network identifier (VPN ID) to be associated with the target device [Wiget, replaced with a calculated MAC address and VPN Id, col 5 lines 57-65; col 6 lines 16-26]; and

generating means for generating, in response to a determination that a second device within the distributed data processing system has a network address that duplicates the network address of the target device, a modified system address for the target device based on the entered VPN ID and other system address information for the target device [Wiget, replaced with a calculated MAC address and VPN Id, col 5 lines 57-65; col 6 lines 16-26].

Wiget also discloses the duplication address [Wiget, prevent possible duplicates by a second device, col 5 lines 10-15]. However Wiget does not detail

reporting means for reporting in response determination that a second device within the distributed data processing system has a network address that duplicates the network address of the target device, the duplicate network address to a user along with other system address information for the target device and the second device.

A skilled artisan would have motivation to improve the duplicate address management over the network and found Cusak teaching. Cusak discloses an Internet environment wherein the ARP maps physical addresses to IP addresses using NAT translation on private network, the split in addressing allows in-home networks to duplicate addresses [Cusak, col 12 lines 14-53]

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the split in addressing allows in-home

Art Unit: 2142

networks to duplicate addresses as taught by Cusak into the Wiget's apparatus in order to utilize the ARP request. Doing so would provide a generic framework for each private network device wherein each target device address will be replaced with calculated MAC address and VPN Id as design.

5. As per claim 10, Wiget-Cusak disclose displaying means for displaying the duplicate network address and other system address information to the user [Wiget, configuration parameter allow the support of different MAC address calculation to prevent possible duplicates, col 5 lines 10-15].

6. Claims 1-2 and 17-18 contain the similar limitations set forth of apparatus claims 9-10. Therefore, claims 1-2 and 17-18 are rejected for the similar rationale set forth in claims 9-10.

7. As per claim 13, Wiget-Cusak disclose accepting means for accepting user input to assign the entered VPN ID to a network scope associated with the target device [Wiget, replaced with a calculated MAC address and VPN Id, col 5 lines 57-65; col 6 lines 16-26]

8. As per claim 14, Wiget-Cusak disclose assigning means for assigning the entered VPN ID to a network scope associated with the target device [Wiget, replaced with a calculated MAC address and VPN Id, col 5 lines 57-65; col 6 lines 16-26].

9. As per claim 15, Wiget-Cusak disclose generating means for generating a modified system address for each device in a same scope as the target device based on the entered VPN ID and other system address information associated with each device in the same scope as the target device [Wiget, replaced with a calculated MAC address and VPN Id, col 5 lines 57-65; col 6 lines 16-26].

10. As per claim 16, Wiget-Cusak disclose executing means for executing the requested action using the modified system address [Wiget, replaced with a calculated MAC address and VPN Id, col 5 lines 57-65; col 6 lines 16-26].

11. Claims 5-8 and 21-24 contain the similar limitations set forth of apparatus claims 13-16. Therefore, claims 5-8 and 21-24 are rejected for the similar rationale set forth in claims 13-16.

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Thong Vu, whose telephone number is (571)-272-3904.

The examiner can normally be reached on Monday-Thursday from 8:00AM- 4:30PM.

Art Unit: 2142

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Jack Harvey*, can be reached at (571) 272-3896.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9700.

Any response to this action should be mailed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231 or faxed to :

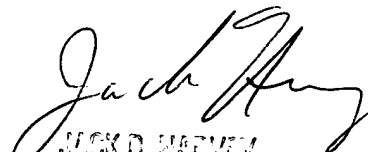
After Final (703) 746-7238

Official: (703) 746-7239

Non-Official (703) 746-7240

Hand-delivered responses should be brought to Crystal Park 11,2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

*Thong Vu*  
**Patent Examiner**  
**Art Unit 2142**

  
JACK D. HARVEY  
SUPERVISOR, PATENT EXAMINER